

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

SHARRIFF DYER,

Plaintiff,

USDC Case No. 2:15-cv-12763
36th DC Case No. 15-201550

-v-

PEOPLE DRIVEN CREDIT UNION,

Defendant.

PEOPLE DRIVEN CREDIT UNION'S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant, PEOPLE DRIVEN CREDIT UNION, ("PDCU") hereby removes the subject action from the 36th District Court, Michigan, to the United States District Court for the Eastern District of Michigan, on the following grounds:

1. Plaintiff, Sharriff Dyer, served PDCU on or about August 4, 2015, with an Affidavit and Claim - Small Claims filed in the 36th District Court, Michigan. A copy of the Affidavit and Claim is attached hereto as **Exhibit A**. No other process, pleadings, or orders have been served on PDCU.

2. Plaintiff makes claims under, alleges that PDCU violated, and alleges that PDCU is liable under the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq. (the "FCRA"). [Exhibit A ¶ 9].

3. This Court has original jurisdiction over the subject action pursuant to 28 U.S.C. § 1331 since there is a federal question. As alleged, this suit falls within the FCRA which thus supplies this federal question.

4. Pursuant to 28 U.S.C. § 1441, et seq., this cause may be removed from the 36th District Court, Michigan, to the United States District Court for the Eastern District of Michigan.

5. Notice of this removal will be promptly filed with the 36th District Court, Michigan, and served on the Plaintiff.

WHEREFORE, Defendant, PEOPLE DRIVEN CREDIT UNION, by its counsel, removes the subject action from the 36th District Court, Michigan to the United States District Court, Eastern District of Michigan.

Respectfully submitted,

Dated: August 6, 2015

/s/Patricia Corkery
HOLZMAN CORKERY, PLLC
CHARLES J. HOLZMAN (P35625)
PATRICIA CORKERY(P55687)
28366 Franklin Rd.
Southfield, MI 48034
(248)352-4340
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2015, I electronically filed the foregoing with the Clerk of this Court using the ECF system, and that I have served a copy of same upon Sharrieff Dyer, 43311 Joy Rd., #274, Canton, MI 48187, via first class mail.

/s/Jennifer Kreft
Paralegal

Original - Court (with instructions)
1st copy - Defendant (with instructions)
2nd copy - Plaintiff (with instructions)
3rd copy - Return (with proof of service)

Approved, SCAO

STATE OF MICHIGAN 36TH JUDICIAL DISTRICT	AFFIDAVIT AND CLAIM Small Claims	CASE NO. <u>15201558</u>
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Court address 421 MADISON, DETROIT MICHIGAN 48226 Court telephone no. _____

See instructions on the back of plaintiff and defendant copies.

1. **SHARRIFF DYER**
 Plaintiff
43311 JOY RD #274
 Address
CANTON, MI, 48187 (248) 895-9348
 City, state, zip Telephone no.
2. **PEOPLE DRIVEN CREDIT UNION**
 Defendant
24333 LAHSEY
 Address
SOUTHFIELD, MI 48033
 City, state, zip Telephone no.

NOTICE OF HEARING	
For Court Use Only	
The plaintiff and the defendant must be in court on	
Day <u>80600</u>	Date <u>9/11/15</u>
at _____	at <input type="checkbox"/> the court address above.
Time <u>340</u>	
<input type="checkbox"/> Location _____	
Process server's name _____	Fee paid: \$ _____

- ☐ 3. A civil action between these parties or other parties arising out of the transaction or occurrence alleged in this complaint has been previously filed in _____ Court. The case number, if known, is _____
 The action ☐ remains ☐ is no longer pending.
4. I have knowledge or belief about all the facts stated in this affidavit and I am
☐ the plaintiff or his/her guardian, conservator, or next friend. ☐ a partner. ☐ a full-time employee of the plaintiff.
5. The plaintiff is ☒ an individual. ☐ a partnership. ☒ a corporation. ☐ a sole proprietor. ☐ Other _____
6. The defendant is ☒ an individual. ☐ a partnership. ☐ a corporation. ☐ a sole proprietor. ☐ Other _____
7. The date(s) the claim arose is/are JULY 24, 2015
Attach separate sheets if necessary
8. Amount of money claimed is \$ 5,500.00 (NOTE: Plaintiff's costs are determined by the court and awarded as appropriate. They are not part of the amount claimed.)
9. The reasons for the claim are VIOLATION OF THE Fair Credit Reporting Act and THE MICHIGAN CONSUMER PROTECTION ACT AND DECEPTIVE TRADE PRACTICES: (n) Causing a probability of confusion or of misunderstanding as to the legal rights, obligations, or remedies of a party to a transaction. #123207....
10. The plaintiff understands and accepts that the claim is limited to \$5,500 by law and that the plaintiff gives up the rights to (a) recover more than this limit, (b) an attorney, (c) a jury trial, and (d) appeal the judge's decision.
11. I believe the defendant ☒ is ☐ is not mentally competent. I believe the defendant ☒ is ☐ is not 18 years or older.
12. ☐ I do not know whether the defendant is in the military service. ☐ The defendant is not in the military service.
☐ The defendant is in the military service.

Subscribed and sworn to before me on 7/24/15, _____ County, Michigan.

My commission expires: _____ Date Signature: _____ Deputy clerk/Notary-public

Notary public, State of Michigan, County of _____

The defendant(s) must be served by 10/23/15.
Expiration date

